



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/442,517	11/18/1999	DAVID BRADLEY RUST	027060.0011.UTL	5984

23865 7590 05/13/2002

BROBECK, PHLEGER & HARRISON LLP  
12390 EL CAMINO REAL  
SAN DIEGO, CA 92130

EXAMINER

MEKY, MOUSTAFA M

ART UNIT	PAPER NUMBER
----------	--------------

2153

DATE MAILED: 05/13/2002

16

Please find below and/or attached an Office communication concerning this application or proceeding.

RA

**Office Action Summary**

Application No.

09/442,517

Applicant(s)

RUST, DAVID BRADLEY

Examiner

Moustafa M Meky

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 February 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 16.                      6) ☐ Other:

Art Unit: 2153

1. The amendment filed on Feb. 19, 2002 has been entered and considered by the examiner.
2. Claims 1-24 are presenting for examination.
3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salesky (US Pat. No. 6,343,313) in view of Scherpbier (US Pat. No. 6,263,365).
5. As to claims 1-6, Salesky shows in Fig 1, a computer system for collaborative browsing by a first computer (presenter computer) 12 with a first display 55 (see Fig 6B) and a second computer (attendee computer) 18 with a second display 54 (see Fig 6B), through a control site computer (conference computer) 14 through a computer network (Internet) 16. Salesky teaches the claimed limitations in which the first computer 12 would select a region on its display 55, transmitting an image associated with the region to the control site 14 to be transmitted to the second computer 18 thereafter, see col 2, lines 29-43, col 19, lines 5-6.  
  
Salesky does not teach enabling the first computer 12 to control the browser application executed by the second computer 18 in order to display files from the network 16 determined by the first computer 12 to be displayed by the browser application of the second computer 18.

Art Unit: 2153

However, Scherpbier shows in Fig 1, a system in which the first computer 18 would control the browser application 26 of the second computer 24 to display file(s) from the control computer 12 determined by the first computer 18, see the abstract, lines 1-10, col 1, lines 66-67, col 2, line 1, lines 7-9, lines 27-31, lines 64-67, col 3, lines 1-24, lines 56-67, col 4, lines 1-7.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Scherpbier with the system of Salesky in order to enable the first computer to discuss a **particular** file and/or page with a second computer.

6. As to claims 7-11, 12-16, 17-22, 23, and 24, the claims are similar in scope to claims 1-6, and they are rejected under the same rationale.

Therefore, it can be seen from paragraphs 5-6 that the combination of Salesky and Scherpbier teaches the limitations of claims 1-24.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Moustafa M. Meky whose telephone number is (703) 305-9697. The examiner can normally be reached on week days from 7:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess , can be reached on (703) 305-4792 . The fax phone number for this Group is (703) 308-9051 .

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Application/Control Number: 09/442,517

Page 4

Art Unit: 2153

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 305-305-7201 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

M.M.M

May 06, 2002

  
MOUSTAFA M. MEKY  
PRIMARY EXAMINER